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Attorney Docket No. FSUN-001/01US

PATENT

I hereby certify that this correspondence is being transmitted by facsimile addressed to Examiner Kosson, Art Unit 1651, Facsimile Number 703-872-9306, at United States Patent and Trademark Office, Alexandria, VA 22313-1450 on January 19, 2005.

By: Hanna Hacham
Hanna Hacham

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chase, et al.

Serial No.: 10/688,078

Examiner: Kosson, Rosanne

Confirmation No.: 8210

Art Unit: 1651

Filed: 17 October 2003

For: BIOMOLECULAR-BASED ACTUATOR

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed December 22, 2004, Applicant chooses to prosecute the claims of Group I (Claims 2-21, 69-73, and 81). While Applicant does not necessarily agree with the Examiner's interpretation of the claims (or the need for separate evaluations and the additional expense to Applicant), to expedite prosecution of the application Group I is chosen. Applicant preserves the right to file a divisional on the canceled non-elected subject matter, without prejudice and in due course.

Applicant notes the Examiner's comments that Claim 1 links the inventions of Groups I-III. It is noted that upon the allowance of the linking claims, the restriction requirement as to the linked inventions of Groups I-III shall be withdrawn and any claims depending from or otherwise including all the limitations of the allowable linking claims will be entitled to examination in the instant application.

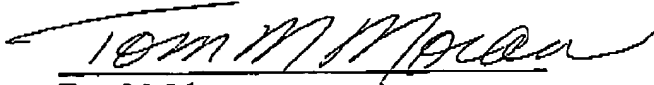
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The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.
§§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to
Deposit Account No. 03-3117.

Dated: January 18, 2005
Cooley Godward LLP
ATTN: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663
TMM\hh

Respectfully submitted,
COOLEY GODWARD LLP

By:


Tom M. Moran
Reg. No. 26,314